

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Patrick M. Curry,

Petitioner,

Case No. 2:17-cv-114

JUDGE MICHAEL H. WATSON

v.

United States of America,

Chief Magistrate Judge

Elizabeth P. Deavers

Respondent.

OPINION AND ORDER

On July 8, 2019, the Magistrate Judge issued a Report and Recommendation ("R&R") recommending that Petitioner's petition for a writ of habeas corpus under 28 U.S.C. § 2254 be denied and that this action be dismissed. ECF No. 11. Although the parties were advised of the right to object to the R&R, and of the consequences of failing to do so, no objections have been filed. The R&R, ECF No. 11, is therefore, **ADOPTED** and **AFFIRMED**. The petition is hereby **DENIED**, and this action is **DISMISSED**.

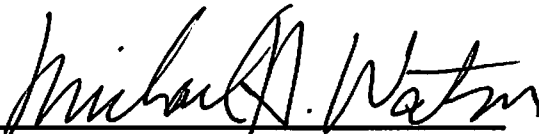
Pursuant to 28 U.S.C. § 2253(c)(1)(A), the Court must also assess whether to issue a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts states that "[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant." Petitioner has waived, however, the right to file an

appeal by failing to file objections to the Magistrate Judge's recommendations.

See Thomas v. Arn, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638 F.

2d 947, 950 (6th Cir. 1981). The Court therefore declines to issue a certificate of appealability.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT